

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

MARY SWEARINGEN and ROBERT FIGY,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

ATTUNE FOODS, INC.,

Defendant.

Case No: C 13-4541 SBA

ORDER


Docket 42

On January 28, 2015, the instant action was stayed pending agency action taken by the United States Food and Drug Administration ("FDA") on the use of the term Evaporated Cane Juice ("ECJ") under the primary jurisdiction doctrine. On that same date, a Case Management Conference was scheduled for April 23, 2015. On April 16, 2015, the parties submitted a stipulation requesting that the Case Management Conference be continued to a date in August 2015. In support of their request, the parties state that "[s]uch continuance should allow sufficient time for the FDA process to conclude, or provide an appropriate interval for an interim status report at that time."

In light of the parties' request and the previously imposed stay, the Court VACATES the April 23, 2015 Case Management Conference and ADMINISTRATIVELY CLOSES this case. Within seven (7) days of agency action taken by the FDA, the parties shall file a joint status report advising the Court of the action taken and requesting that this case be reopened and a Case Management Conference scheduled.

IT IS SO ORDERED.

Dated: April 17, 2015


SAUNDRA BROWN ARMSTRONG
United States District Judge